REJECTION UNDER 35 U.S.C. § 103

The Official Action has rejected Claims 1-8, 10-11, 13-21 and 22-23 as being unpatentable over <u>Mendez</u> in view of <u>Kennedy</u>. The Official Action states that <u>Mendez</u> teaches all of the claim limitations of the rejected claims with the exception of storing e-mail in accordance with a message identifier. The Official Action cites <u>Kennedy</u> as disclosing the storage of e-mail in accordance with a message identifier and states it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of <u>Mendez</u> with <u>Kennedy</u> to arrive at Applicants' claims. Applicants respectfully traverse the rejection.

Amended Claim 1 recites, *inter alia*, a method for synchronizing e-mail messages including:

> "...determining whether an e-mail message in the consolidated e-mail storage has been deleted from the external e-mail server by comparing the message identifiers of the external e-mail server with the message identifier of the consolidated e-mail storage, and if a match is found, then deleting the corresponding e-mail message from the consolidated e-mail storage of the local e-mail server."

By way of background, e-mail messages are often distributed to one or more mail servers across a network such as the Internet. To access one's e-mail, a user will typically retrieve messages from one server and attempt to synchronize duplicate messages of other servers by way of a synchronization process in order to consolidate e-mail across servers to a single updated storage location, however, POP3 mail servers present well known difficulties to current synchronization techniques.

In light of the above deficiency in the art, the present invention is provided. With this object in mind, a brief comparison of the claimed invention in view of <u>Mendez</u> and <u>Kennedy</u> is believed to be in order.

Mendez discloses a system and method for synchronizing electronic mail between a client site and a central site. The system enables synchronization of e-mail from different servers and includes format translation, merging of e-mails between different application programs and operation across different platforms.[1]

The system includes a computer network (100) which includes a first remote computer terminal (102) coupled through a communication channel (104) to a global server (106).[2] The global server is coupled through a second communication channel (108) to a second node such as a local area network (110). Both the global server and LAN are protected by firewalls (112) and (114) respectively. In operation, the global server acts as a third party administrator to manage the exchange of data between the remote terminal and the LAN.[3] The global server thus functions to translate between e-mail formats. For example, the base system (146) of the LAN cooperates with the synchronization (124) of the global server to synchronize workspace data (136) of the LAN with that of workspace data (120) of the global server. As can be appreciated, once format translation and synchronization has been accomplished by the global server, the remote terminal is able to access the synchronized translated files. As admitted in the Official Action, Mendez does not disclose or suggest storing e-mails in accordance with a message identifier for each e-mail message, nor a message identifier storage at the local server.

Kennedy discloses a system and method for using a client database to manage conversation threads. More specifically, the invention is directed to managing news messages for use in an application program that is MAPI format based so that downloaded

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[1] Mendez at column 2, lines 49-67.

[2] Mendez at column 3, lines 39-43.

[3] Mendez at column 4, lines 46-57.

messages of a news thread can be maintained in their order of production (i.e., temporal conversation order).[4]

For example, as shown in Figure 4b of <u>Kennedy</u>, groups of news thread messages are preferably arranged and ordered in relation to postings and replies of specific conversation threads and/or subthreads.[5] The invention functions to order the news threads by way of a database stored at a client location (20). The database includes data fields corresponding to specific fields of a typical MAPI format. The database also includes data fields to assist in providing more efficient and timely operations of retrieving and threading conversations from a local message store, such as a MAPI store.[6] For ordering the news threads, each message includes a message identifier or ID and a references field. The message ID is an identification string, which typically is derived from the header of the message itself, that uniquely identifies the message. The message ID also relates the message to other messages of a string and/or substring such that individual messages can be grouped into conversations by a program module, such as an application program or a browser. Thus, <u>Kennedy</u> merely discloses a method by which MAPI messages can be maintained in their original order.

Conversely, the Applicants invention is directed toward the synchronization of e-mails across one or more mail servers. To this end, as recited in amended Claim 1, e-mail messages are stored along with a message identifier for each e-mail message in a message identifier storage at a local server. In order to remove redundant messages (i.e., duplicate messages), message identifiers of e-mail in a consolidated e-mail storage are compared to a storage location of an external e-mail server. Upon detection of a match, a duplicate e-mail is

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[4] <u>Kennedy</u> at column 9, lines 34-45.

[5] <u>Kennedy</u> at column 10, lines 23-39.

[6] <u>Kennedy</u> at column 9, lines 39-45.

recognized and a duplicate e-mail corresponding to the same message identifier is deleted from the external e-mail server for the purposes of synchronizing e-mails across multiple servers.

Moreover, as the teachings of Kennedy are limited to the ordering of message threads in accordance with MAPI data. There is no disclosure or suggestion in Kennedy of deleting an e-mail and/or news thread message in accordance with an identical message identifier, as by definition the identifiers utilized in Kennedy are used to illustrate a relationship among messages of a thread, the focus being the ordering of all available messages, not the removal of duplicate messages. The Official Action cites Figure 12, column 12, line 20; column 13, line 15; column 35, lines 35-67 of Mendez as disclosing this aspect of the Applicants' invention. Applicants note that these citations correspond to the e-mail synchronization module of Mendez, as discussed above, Mendez, whether taken alone or in combination with Kennedy, does not disclose or suggest synchronizing e-mail as recited in amended Claim 1, namely storing e-mail messages by a message identifier, and deleting e-mail in accordance with the detection of a duplicate message identifier.

Accordingly, Applicants respectfully request that the rejection of Claim 1 under 35 U.S.C. § 103 be withdrawn. Further, Applicants submit that independent Claims 10, 13 and 22 recite substantially the same limitations as discussed above with reference to Claim 1, thus, these claims are likewise allowable.[7] Finally, dependent Claims 2-9, 11-12, 14-21 and 23-24 are allowable at least based upon their respective dependencies to the above-mentioned independent claims. As such, Applicants respectfully request that the rejection of Claims 1-8, 10-11, 13-21 and 22-23 under 35 U.S.C. § 103 be withdrawn.

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[7] Claims 13 and 20 recite a deletion and non-deletion state based upon the detection of matching identifiers.

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CONCLUSION

Consequently, in view of the foregoing amendments and remarks, it is respectfully submitted that the present application, including Claims 1-24, is patentably distinguished over the prior art, is in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

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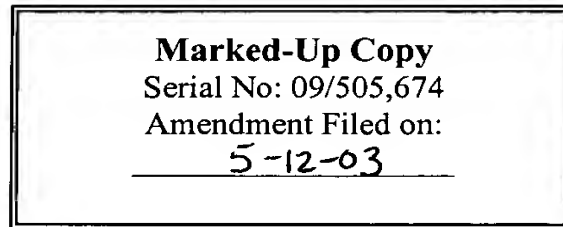MAIER & NEUSTADT, P.C.

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IN THE CLAIMS

--1. (Amended) A method for synchronizing e-mail messages for a user, comprising the steps of:

(A) receiving, at an e-mail control at a local server, a plurality of e-mail messages addressed to the user, from an external e-mail server;

(B) storing, by the e-mail control, each e-mail message of the plurality of e-mail messages, in a consolidated e-mail storage at the local server;

(C) storing, by the e-mail control, a message identifier for each e-mail message, in a message identifier storage at the local server; and

(D) determining whether an e-mail message in the consolidated e-mail storage has been deleted from the external e-mail server <u>by comparing the message identifiers of the external e-mail server with the message identifier of the consolidated e-mail storage</u>, and if [so] <u>a match is found</u>, then deleting the <u>corresponding</u> e-mail message from the consolidated e-mail storage of the local e-mail server.--